

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from A-O Agricultural Open to PDD Planned Development District.

**TRACT A
105.834 ACRES**

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE J.W. SCOTT LEAGUE, ABSTRACT NO. 49, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 113.67 ACRE TRACT AS DESCRIBED BY A DEED TO CARRARA PARTNERSHIP RECORDED IN VOLUME 586, PAGE 488 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 2.00 ACRE TRACT AS DESCRIBED BY A DEED TO EDWARD H. HARTE OR HOUSTON H. HARTE OR JOANNE BENNETT RECORDED IN VOLUME 507, PAGE 563 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND ALL OF A CALLED 2.00 ACRE TRACT AS DESCRIBED BY A DEED TO EDWARD H. HARTE OR HOUSTON H. HARTE OR JOANNE BENNETT RECORDED IN VOLUME 507, PAGE 568 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "B," AND SHOWN GRAPHICALLY IN EXHIBIT "D."

Land Uses Permitted: Duplex
Park-Public
Park-Private
Open Space

The following property is rezoned from A-O Agricultural Open to C-1 General Commercial.

**TRACT B
7.367 ACRES**

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE J.W. SCOTT LEAGUE, ABSTRACT NO. 49, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 113.67 ACRE TRACT AS DESCRIBED BY DEED TO CARRARA PARTNERSHIP RECORDED IN VOLUME 586, PAGE 488 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID 7.367 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "C," AND SHOWN GRAPHICALLY IN EXHIBIT "D".

TRACT A

**METES AND BOUNDS DESCRIPTION
OF A
105.834 ACRE TRACT
J. W. SCOTT LEAGUE, A-49
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE J. W. SCOTT LEAGUE, ABSTRACT NO. 49, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 113.67 ACRE TRACT AS DESCRIBED BY A DEED TO CARRARA PARTNERSHIP RECORDED IN VOLUME 586, PAGE 488 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, ALL OF A CALLED 2.00 ACRE TRACT AS DESCRIBED BY A DEED TO EDWARD H. HARTE OR HOUSTON H. HARTE OR JOANNE BENNETT RECORDED IN VOLUME 507, PAGE 563 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS, AND ALL OF A CALLED 2.00 ACRE TRACT AS DESCRIBED BY A DEED TO EDWARD H. HARTE OR HOUSTON H. HARTE OR JOANNE BENNETT RECORDED IN VOLUME 507, PAGE 568 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: AT A ½ INCH IRON ROD FOUND ON THE NORTHWEST LINE OF STATE HIGHWAY NO. 30 (120' R.O.W.) MARKING THE SOUTH CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT AND THE EAST CORNER OF A CALLED 192.64 ACRE TRACT DESCRIBED AS EXHIBIT "A" BY A DEED TO COLLEGE MAIN APARTMENTS, LTD., RECORDED IN VOLUME 3687, PAGE 258 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 47° 03' 20" W ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID 192.64 ACRE TRACT FOR A DISTANCE OF 1346.50 FEET TO A ½ INCH IRON ROD FOUND MARKING THE MOST WESTERLY CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT AND THE SOUTH CORNER OF A CALLED 46.19 ACRE TRACT AS DESCRIBED BY A DEED TO DIANE PETERS, E. DUANE PETERS AND PATRICIA KAY PETERS RECORDED IN VOLUME 223, PAGE 111 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 41° 39' 43" E ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID 46.19 ACRE TRACT FOR A DISTANCE OF 1146.61 FEET TO A ½ INCH IRON ROD FOUND MARKING THE EAST CORNER OF SAID 46.19 ACRE TRACT AND AN INTERIOR WEST CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT;

THENCE: N 45° 47' 51" W CONTINUING ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID 46.19 ACRE TRACT FOR A DISTANCE OF 593.53 FEET TO A ½ INCH IRON ROD FOUND MARKING THE SOUTH CORNER OF A CALLED 35.91 ACRE TRACT AS DESCRIBED BY A DEED TO ROBERT HENRY CONAWAY, JR., RECORDED IN VOLUME 2864, PAGE 51 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD FOUND MARKING THE WEST CORNER OF SAID SECOND 2.00 ACRE TRACT (507/568), SAME BEING THE ORIGINAL MOST NORTHERLY WEST CORNER OF SAID 113.67 ACRE TRACT;

THENCE: N 42° 09' 39" E ALONG THE COMMON LINE OF SAID 2.00 ACRE TRACTS (507/568 AND 507/563), SAID REMAINDER OF 113.67 ACRE TRACT AND SAID 35.91 ACRE TRACT FOR A DISTANCE OF 1282.80 FEET TO A ½ INCH IRON ROD FOUND MARKING THE NORTH CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT AND THE WEST CORNER OF THE REMAINDER OF A CALLED 15.379 ACRE TRACT AS DESCRIBED BY A DEED TO JOYCE PETERS BELL RECORDED IN VOLUME 297, PAGE 252 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 46° 10' 45" E ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID REMAINDER OF 15.379 ACRE TRACT FOR A DISTANCE OF 1172.52 FEET TO A 5/8 INCH IRON ROD FOUND MARKING AN INTERIOR NORTH CORNER OF SAID REMAINDER OF

113.67 ACRE TRACT AND THE SOUTH CORNER OF THE REMAINDER OF A CALLED 11.424 ACRE TRACT AS DESCRIBED BY A DEED TO JOYCE A. DEVANEY, TRUSTEE, RECORDED IN VOLUME 2584, PAGE 225 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: N 41° 57' 03" E ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID REMAINDER OF 11.424 ACRE TRACT, AT 602.23 FEET PASS A ½ INCH IRON ROD FOUND MARKING A COMMON CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID REMAINDER OF 11.424 ACRE TRACT, CONTINUE ON FOR A TOTAL DISTANCE OF 680.23 FEET TO A POINT IN SAID REMAINDER OF 113.67 ACRE TRACT;

THENCE: S 45° 23' 16" E THROUGH SAID REMAINDER OF 113.67 ACRE TRACT FOR A DISTANCE OF 647.00 FEET TO A POINT ON THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND A CALLED 1.88 ACRE TRACT DESCRIBED AS TRACT 2 BY A DEED TO BRAZOS SUPER TRAC, INC. RECORDED IN VOLUME 3644, PAGE 256 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A ½ INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF F.M. 158 (VARIABLE WIDTH R.O.W.) MARKING THE MOST EASTERLY CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT AND THE NORTH CORNER OF A CALLED 1.21 ACRE TRACT DESCRIBED AS TRACT A BY SAID DEED TO BRAZOS SUPER TRAC, INC. (3644/256) BEARS: N 42° 05' 09" E FOR A DISTANCE OF 505.20 FEET;

THENCE: S 42° 05' 09" W ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID 1.88 ACRE TRACT FOR A DISTANCE OF 98.50 FEET TO A ½ INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID 1.88 ACRE TRACT AND AN INTERIOR EAST CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT;

THENCE: S 64° 42' 03" E CONTINUING ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID 1.88 ACRE TRACT FOR A DISTANCE OF 215.32 FEET TO A ½ INCH IRON ROD FOUND ON THE NORTHWEST LINE OF STATE HIGHWAY NO. 30 MARKING THE SOUTH CORNER OF SAID 1.88 ACRE TRACT AND THE MOST SOUTHERLY EAST CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT;

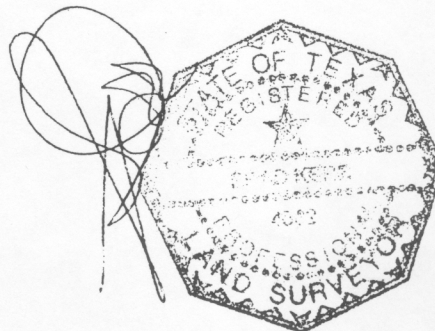
THENCE: S 45° 18' 20" W ALONG THE NORTHWEST LINE OF STATE HIGHWAY NO. 30 FOR A DISTANCE OF 1071.60 FEET TO A ½ INCH IRON ROD FOUND MARKING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 5789.58 FEET;

THENCE: ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02° 58' 11" FOR AN ARC DISTANCE OF 300.07 FEET (CHORD BEARS: S 43° 49' 15" W – 300.04 FEET) TO A ½ INCH IRON ROD FOUND MARKING THE ENDING POINT OF SAID CURVE;

THENCE: S 42° 20' 10" W CONTINUING ALONG THE NORTHWEST LINE OF STATE HIGHWAY NO. 30 FOR A DISTANCE OF 1681.59 FEET TO THE **POINT OF BEGINNING** CONTAINING 105.834 ACRES OF LAND AS SURVEYED ON THE GROUND AUGUST, 2003. SEE PLAT PREPARED AUGUST, 2003, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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TRACT B

**METES AND BOUNDS DESCRIPTION
OF A
7.367 ACRE TRACT
J. W. SCOTT LEAGUE, A-49
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND BEING SITUATED IN THE J. W. SCOTT LEAGUE, ABSTRACT NO. 49, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 113.67 ACRE TRACT AS DESCRIBED BY A DEED TO CARRARA PARTNERSHIP RECORDED IN VOLUME 586, PAGE 488 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: AT A BRASS RIGHT-OF-WAY MARKER FOUND ON THE SOUTHWEST LINE OF F.M. 158 (VARIABLE WIDTH R.O.W.) MARKING THE MOST EASTERLY NORTH CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT AND THE MOST NORTHERLY EAST CORNER OF THE REMAINDER OF A CALLED 11.424 ACRE TRACT AS DESCRIBED BY A DEED TO JOYCE A. DEVANEY, TRUSTEE, RECORDED IN VOLUME 2584, PAGE 225 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: ALONG THE SOUTHWEST LINE OF F.M. 158 FOR THE FOLLOWING CALLS:

S 78° 58' 02" E FOR A DISTANCE OF 180.05 FEET TO A BRASS RIGHT-OF-WAY MARKER FOUND;

S 73° 52' 00" E FOR A DISTANCE OF 315.77 FEET TO A BRASS RIGHT-OF-WAY MARKER FOUND;

S 66° 54' 03" E FOR A DISTANCE OF 234.90 FEET TO A CONCRETE RIGHT-OF-WAY MARKER FOUND;

S 64° 15' 25" E FOR A DISTANCE OF 253.06 FEET TO A ½ INCH IRON ROD FOUND MARKING THE MOST NORTHERLY EAST CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT AND THE NORTH CORNER OF A CALLED 1.21 ACRE TRACT DESCRIBED AS TRACT 1 BY A DEED TO BRAZOS SUPER TRAC, INC. RECORDED IN VOLUME 3644, PAGE 256 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS;

THENCE: S 42° 05' 09" W ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID 1.21 ACRE TRACT FOR A DISTANCE OF 505.20 FEET TO A POINT ON THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND A CALLED 1.88 ACRE TRACT DESCRIBED AS TRACT 2 BY SAID DEED TO BRAZOS SUPER TRAC, INC. (3644/256), FOR REFERENCE A ½ INCH IRON ROD FOUND MARKING THE WEST CORNER OF SAID 1.88 ACRE TRACT AND AN INTERIOR EAST CORNER OF SAID REMAINDER OF 113.67 ACRE TRACT BEARS: S 42° 05' 09" W FOR A DISTANCE OF 98.50 FEET;

THENCE: N 45° 23' 16" W THROUGH SAID REMAINDER OF 113.67 ACRE TRACT FOR A DISTANCE OF 647.00 FEET TO A POINT MARKING AN INTERIOR SOUTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 41° 57' 03" W CONTINUING THROUGH SAID REMAINDER OF 113.67 ACRE TRACT FOR A DISTANCE OF 78.00 FEET TO A ½ INCH IRON ROD FOUND MARKING THE MOST SOUTHERLY EAST CORNER OF SAID REMAINDER OF 11.424 ACRE TRACT;

THENCE: N 72° 47' 26" W ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE

TRACT AND SAID REMAINDER OF 11.424 ACRE TRACT FOR A DISTANCE OF 220.45 FEET TO A ½ INCH IRON ROD FOUND MARKING AN INTERIOR EAST CORNER OF SAID REMAINDER OF 11.424 ACRE TRACT;

THENCE: N 30° 07' 18" E CONTINUING ALONG THE COMMON LINE OF SAID REMAINDER OF 113.67 ACRE TRACT AND SAID REMAINDER OF 11.424 ACRE TRACT FOR A DISTANCE OF 274.69 FEET TO THE **POINT OF BEGINNING** CONTAINING 7.367 ACRES OF LAND AS SURVEYED ON THE GROUND AUGUST, 2003. SEE PLAT PREPARED AUGUST, 2003, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

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